

HOUSE BILL REPORT

HB 1488

As Reported by House Committee On: Local Government & Housing

Title: An act relating to eliminating the discharge of vulnerable populations from state institutions into homelessness.

Brief Description: Restricting the release of persons from state institutions.

Sponsors: Representatives Miloscia, Sullivan, Goodman, Ormsby and Blake.

Brief History:

Committee Activity:

Local Government & Housing: 2/5/09, 2/12/09 [DPS].

Brief Summary of Substitute Bill

- Provides an emergency clause.
- Requires the Department of Corrections to monitor former offenders' housing status upon release, and submit a plan to the Legislature to eliminate homelessness among former offenders.
- Requires the same actions of the Department of Social and Health Services with regards to youth released from foster care, and patients released from psychiatric institutions.
- Requires regional support networks, within the patient tracking system, to track the housing status of patients.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; Ericksen, Assistant Ranking Minority Member; Cox, Miloscia, Short, Springer, Upthegrove, White and Williams.

Staff: Sara del Moral (786-7291) and Thamas Osborn (786-7129)

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Individual Reentry Plans.

For each inmate committed under its jurisdiction, the Department of Corrections (DOC) must develop an Individual Reentry Plan (IRP). The plan includes a number of rules for the offender to follow upon release. Examples of these rules include:

- public safety concerns;
- connection to a community justice center; and
- housing, employment, education, and treatment needs.

Offenders' Financial Obligations.

Counties and the state are authorized to recover costs for inmate incarceration under limited circumstances. However, other legal financial obligations may take precedence. Courts may also require any inmate sentenced to a city or county jail, with the means to pay, to compensate the jurisdiction for his or her incarceration.

Independent Youth Housing Program.

The Department of Community, Trade and Economic Development's (DCTED) Independent Youth Housing Program (program) provides housing stipends and case management services to youth, ages 18 to 23, who have exited the state dependency system. The state has set the following goals:

- ensure that all youth exiting the state dependency system have a decent, appropriate, and affordable home in a healthy, safe environment to prevent these youth from experiencing homelessness; and
- reduce each year the percentage of young people eligible for state assistance upon exiting the state dependency system.

The Department of Social and Health Services (DSHS) collaborates with the DCTED to provide information about the program to dependent youth and to refer dependent youth nearing the age of 18 to the program. The DSHS also provides information to the DCTED regarding the number of youth exiting the state dependency system eligible for state assistance and annually recommends strategies to the Legislature that may help reduce this number.

Parole Programs for Juveniles.

If a juvenile is committed to a sentence at a Juvenile Rehabilitation Administration facility, he or she may be placed under parole supervision upon release from the facility. The DSHS oversees individual parole programs for such juveniles.

Assistance to Recently Released Psychiatric Patients.

State law specifies that a person may be taken into custody for an involuntary 72-hour evaluation and treatment period for a mental disorder. The person may be detained if he or she presents a likelihood of serious harm to himself/herself or others, or to the property of others, or if he or she is gravely disabled.

If such a patient is indigent or lacking suitable clothing, a state hospital must provide the person with clothing and a sum of money deemed necessary for the patient's immediate welfare.

Regional Support Networks.

Publicly funded mental health services for adults are provided by the state and local entities. Currently, the state provides long-term care at two psychiatric hospitals. There are 14 regional support networks (RSNs) that provide outpatient and short-term care. Each RSN has a number of duties. Examples include:

- working with the DSHS to expedite the enrollment of eligible persons leaving correctional facilities and institutions for mental diseases; and
- coordinating services for patients leaving a state mental hospital to ensure they are transitioned into the community in accordance with discharge plans.

Summary of Substitute Bill:

Department of Corrections.

Planning Requirement.

By September 1, 2009 the Department of Corrections (DOC) must submit to the Legislature a plan by which the DOC proposes to eliminate the discharge of offenders from custody into homelessness. The plan must:

- specifically identify the resources necessary and actions required to eliminate the discharge of any offender into homelessness by 2011; and
- include performance measures to gauge the effectiveness of the plan in increasing the percentage of released offenders who secure and retain stable housing and decreasing the percentage of released offenders who enter homelessness.

Existing DOC plans may be used to partially fulfill the planning requirement, but must be updated with implementation strategies to meet this new goal.

Individual Reentry Plans.

New requirements are added regarding individual reentry plans:

- the plan must address an offender's need for housing;
- the DOC must record the address of the confirmed housing situation arranged for an offender pending the offender's release from custody; and
- while actively supervising any former offender, the DOC must maintain a record of the former offender's housing status.

Department of Social and Health Services.

Planning Requirement.

Not later than September 1, 2009, the DSHS must submit to the Legislature a plan by which the DSHS proposes to eliminate the discharge into homelessness of:

- youth aging out of the foster care system; and
- chronically mentally ill persons being released from involuntary psychiatric commitment.

The plan must:

- specifically identify the resources necessary and actions required to eliminate the discharge of such youth and adults into homelessness by 2011;
- include performance measures to gauge the effectiveness of the plan in increasing the percentage of released persons who secure and retain stable housing and decreasing the percentage of released persons who enter homelessness; and
- address the housing needs of chronically mentally ill persons receiving ongoing mental health care from RSNs.

Plans already developed by the DSHS may be used to partially fulfill the planning requirement, but must be updated with implementation strategies to meet this new goal.

Annual Reporting.

The DSHS must annually provide the Department of Community, Trade and Economic Development with the number of youth aging out of the state dependency system who do not have stable affordable housing.

Release of Juvenile Offenders.

Prior to release of a juvenile offender, the DSHS must record the address of the confirmed housing situation arranged for the juvenile pending the juvenile's release. The DSHS must track the housing status of a juvenile parolee for the duration of the juvenile's supervision.

Release of Indigent Patients from Mental Hospitals.

The DSHS must record the housing status of indigent patients when they are discharged from a state hospital.

County Clerks.

The county clerk is authorized and required to maintain a record of the current housing status and current address of each offender under the jurisdiction of the court for purposes of his or her financial obligations, and must provide this information to the DOC upon request.

Regional Support Networks.

Regional support networks must track the housing status of patients receiving care.

Substitute Bill Compared to Original Bill:

The amendment:

- deletes the requirement for a county clerk to keep a record of an offender's housing status;
 - adds that a county clerk may monitor an offender's last known housing status, rather than his or her current housing status; and
 - adds that an offender with a legal financial obligation must keep the county clerk informed of his or her housing status.
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Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect immediately, except section 5, which reinstates prior law related to provisions for Individual Reentry Plans, and section 7, which reinstates prior law related to a county clerk's responsibilities with regards to an offender with a legal financial obligation, and take effect August 1, 2009.

Staff Summary of Public Testimony:

(In support) We are facing difficult times. Homelessness is on the rise. Resources to combat homelessness are declining. Homelessness is now a problem in suburban and rural areas. There is a shortage of living wage jobs and affordable housing, while domestic violence is rising. Youth and adults leaving state institutions are at high risk of becoming homeless. Someone must help this population. There is a state mandate to reduce homelessness according to benchmarks. Addressing homelessness requires state planning. Research has shown that providing housing to ex-offenders reduces recidivism. This bill would help prevent homelessness and crime. A similar program in the King County jail decreased recidivism from 58 percent to 17 percent. The plans required of the DOC and the DSHS are also preventative measures. We need to know the extent of the problem. The costs of incarcerating a person, as well as those for secondary effects, like increased child welfare costs and hospitalization, exceed those of housing a person. We understand budgetary constraints during this recession. This is an opportunity to save both money and lives. Among foster care graduates and juvenile parolees, housing is named as one of their highest concerns. Thirty to 50 percent of the kids on the Seattle streets are from the foster care system. But these kids respond well to support. For former patients with mental illness, the risk of homelessness does not just occur at discharge; these individuals often lose housing later on. This bill is a priority for the Washington State Coalition for the Homeless and the United Way of King County.

(With concerns) The counties have suggested a change. County clerks already keep records of offenders' last known address. They don't have additional resources to track offenders' current housing status. The bill should say "last known" not "current."

(Opposed) None.

Persons Testifying: (In support) Representative Miloscia, prime sponsor; Seth Dawson and Mia Wells, Washington State Coalition for the Homeless; Jim Theofelis, Mockingbird Society; Nick Federici, United Way of King County; and David Lord, Disability Right Washington.

(With concerns) Debbie Wilke, Washington Association of County Officials.

Persons Signed In To Testify But Not Testifying: None.